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09/932,103	08/17/2001	Kavitha Vallari Devara	US 010405	5487

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EXAMINER

HOSSAIN, FARZANA E

ART UNIT	PAPER NUMBER
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2623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/932,103

Applicant(s)

DEVARA ET AL.

Examiner

Farzana E. Hossain

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This office action is in response to claims filed 01/29/2007. Claims 1-22 are original. Claims 23 and 24 have been previously presented.

Response to Arguments

2. Applicant's arguments filed 01/29/207 have been fully considered but they are not persuasive in regards to Ullman.

Regarding Claims 1, 8, 15, 20, 23, the applicant argues that Ullman does not disclose formatting said retrieved, enhanced features according to predetermined criteria to generate a content list" (Page 13). The applicant argues that a control panel provides a list of URLs that have been broadcast (Pages 12-13). Applicant argues that Ullman cannot teach generating a content list because there is no content list disclosed or suggested in Ullman and that Ullman utilizes a URL list to retrieve features for display along with video information. Applicant argues that Ullman does not format the URL list and that the URL list is not a content list (Pages 11-14).

In response to the applicant's argument that Ullman fails to teach or suggest the usage of a content list, applicants argue that the reference discloses the usage of a 'list' of URLs but not a 'content list'. The examiner respectfully disagrees. Neither the

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claims nor the specification are limiting with respect to the nature of a 'content list'. As is understood in the art, a URL is the address from which 'content' such as web pages are retrieved. In Ullman stored 'content' or web pages are identified by ULS.

Therefore, a list of the URLs is equivalent to the as listing of 'content that the subscriber can subsequently access. For example, as illustrated in at least one embodiment of Figure 7, the 'URL list clearly indicates that 'content' or web pages for Pluto (Pluto.html, 9thplan.html, etc) are available for viewing.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond et al (US 6,571,392 and hereafter referred to as "Zigmond") in view of Ullman et al (US 6,019,768 and hereafter referred to as "Ullman").

Regarding Claims 1, 15 and 20, Zigmond discloses a method and system for managing television programs and their synchronized web simulcasts (Figure 2, Figure 3, Figure 4), the method comprising the steps of and the system comprising:

(a) a detection means, coupled to receive incoming television programs viewed by a user, for detecting incoming television signals from a plurality of sources for tag

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information identifying the source of the synchronized web simulcasts or a video program with uniform resource locators (URLs) which identify Web pages which correspond to the program as receiver unit detects the resource identifiers as it receives the program via the interface unit and the decoding software of the digital processor (Figure 3, Figure 4, 303, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(b) a communications means for establishing a communication channel to the source of the synchronized web simulcasts (Figure 2, 211);

(c) a control means retrieving a number of enhanced features from the source of the synchronized web simulcasts (Figure 3, Figure 4, 303, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(d) a storage means for storing the retrieved enhanced features in a storage medium for subsequent retrieval (Figure 3, Figure 4, 304, Column 6, lines 25-36, Column 7, lines 18-31, 55-67), the control means coupled to the storage means the detection means and communications means, and a display means coupled to the controlling means for displaying the incoming television programs and one of the retrieved enhanced features selected interactively by the user (Figure 4, 312, 303, Column 7, lines 47-54). Zigmond discloses a memory for storing computer readable code or software (Column 5, lines 60-67, Column 6, lines 1-3) and a processor (Figure 4, 303) operatively coupled to the memory (Figure 4) the processor configured to perform the steps of the method disclosed above. Zigmond discloses identifying the retrieved enhanced features based on URLs or URIs (Column 6, lines 25-36, Column 7,

lines 18-31, 55-67). Zigmond is silent on formatting the retrieved enhanced features or web pages to predetermined criteria to generate a content list.

Ullman discloses a method for managing television programs and their synchronized web simulcasts, the method comprising the steps of: a detection means for detecting incoming television signals from a plurality of sources for tag information identifying the source of the synchronized web simulcasts or a video program with embedded uniform resource locators (URLs) with associated time stamps which identify Web pages which correspond to the program (Figure 1,12, Figure 2, Column 4, lines 42-54, Column 5, lines 8-10); a communications means establishing a communication channel to the source of the synchronized web simulcasts (Figure 1, 20, Figure 5, 148, Column 4, lines 42-54, Column 5, lines 8-10); a control means for retrieving a number of enhanced features from the source of the synchronized web simulcasts (Figure 2, 16, Figure 5, Column 9, lines 50-58, Column 7, lines 40-52) and a display means coupled to the controlling means for displaying the incoming television programs and one of the retrieved enhanced features selected interactively by the user (Figure 2, 16, 18).

Ullman discloses the control means formatting the retrieved, enhanced features according to predetermined criteria to generate a content list (Column 8, lines 22-36, 41-67, Column 7, lines 12-30). Ullman discloses a processor (Column 5, lines 31-34). It is necessarily included that Ullman includes a memory for storing computer readable code or software as the receiver station includes software (Column 7, lines 34-51, Figure 4, 106) and the processor operatively coupled to the memory (Figure 4) the processor configured to perform the steps of the method disclosed above. Therefore, it

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would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Zigmond to formatting the retrieved, enhanced features according to predetermined criteria to generate a content list (Column 8, lines 22-36, 41-67, Column 7, lines 12-30) as taught by Ullman in order to allow the viewer to view web pages related to a show at a later time (Column 8, lines 31-36) as disclosed by Ullman.

Regarding Claims 8 and 23, Zigmond discloses a method for managing television programs and their synchronized web simulcasts (Figure 2, Figure 3, Figure 4) and a method for presenting simulcast information, the method comprising executing operations on at least one user local data processing device (Figure 2, Figure 3, Figure 4) the method comprising the steps of and the operations comprising: (a) receiving a plurality of television programs or audio-visual information and their synchronized web simulcasts (Figure 2, 205, Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(b) detecting incoming television signals or plurality of television programs for tag information identifying the respective sources of the synchronized web simulcasts or one website simulcasting supplemental information relating to the audio-visual information or a video program with embedded uniform resource locators (URLs) with associated time stamps which identify Web pages which correspond to the program (Figure 2, 205, Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);



(c) determining whether the detected tag information indicates that the synchronized web simulcasts are being broadcast currently (Figure 2, 205, Figure 3, Column 6, lines 25-36, 60-67; Column 7, lines 18-31, 55-67); and,

(c)(1)(i) if yes, establishing a channel connection to the source of the synchronized web simulcasts indicated by the tag information (Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67); (c)(1)(ii) downloading and displaying a number of enhanced features from the source of the synchronized web simulcasts to a viewer (Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67);

(c)(2)(i) if no (prior to the need of display of such information), establishing a channel connection to the source of the synchronized web simulcasts indicated by the tag information (Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(c)(2)(ii) downloading a number of enhanced features from the source of the synchronized web simulcasts for storage in a memory medium for subsequent retrieval; (Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67). Zigmond discloses identifying the retrieved enhanced features based on URLs or URIs (Column 6, lines 25-36, Column 7, lines 18-31, 55-67). Zigmond is silent on formatting the retrieved enhanced features according to predetermined criteria to generate a content list selectable by the viewer.

Ullman discloses a method for managing television programs and their synchronized web simulcasts (Column 4, lines 42-54), the method comprising the steps of: receiving a plurality of television programs and their synchronized web simulcasts (Figure 1, Column 4, lines 42-54); detecting incoming television signals or plurality of

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television programs for tag information identifying the respective sources of the synchronized web simulcasts or a video program with embedded uniform resource locators (URLs) with associated time stamps which identify Web pages which correspond to the program (Figure 1, Column 4, lines 42-54, Column 5, lines 8-10); determining whether the detected tag information indicates that the synchronized web simulcasts are being broadcast currently (Column 8, lines 41-51, Column 9, lines 5-20); and, if yes, establishing a channel connection to the source of the synchronized web simulcasts indicated by the tag information (Figure 1, 20, Figure 5, 148, Column 4, lines 42-54, Column 5, lines 8-10, Column 6, lines 20-23, Column 9, lines 5-20); downloading and displaying a number of enhanced features from the source of the synchronized web simulcasts to a viewer (Figure 1, 20, Figure 5, 148, Column 4, lines 42-54, Column 5, lines 8-10, Column 9, lines 5-20). Ullman discloses retrieving the enhanced features. Ullman discloses formatting the retrieved, enhanced features according to predetermined criteria to generate a content list selectable by the viewer (Column 8, lines 22-36, Column 7, lines 12-30), displaying the content list associated with the audio visual information (Column 8, lines 22-36, 41-67), receiving the choice indication response to the content list (Column 8, lines 22-36, 41-67) and simultaneously presenting the audio visual information synchronized together with at least part of the supplemental information responsive to the choice (Column 7, lines 35-51, Column 5, lines 11-12). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Zigmond to formatting the retrieved, enhanced features according to predetermined criteria to generate a content

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list selectable by a viewer (Column 8, lines 22-36, 41-67, Column 7, lines 12-30), displaying the content list associated with the audio visual information (Column 8, lines 22-36), receiving the choice indication response to the content list (Column 8, lines 22-36, 41-67) and simultaneously presenting the audio visual information synchronized together with at least part of the supplemental information responsive to the choice (Column 7, lines 35-51, Column 5, lines 11-12) as taught by Ullman in order to allow the viewer to view web pages related to a show at a later time (Column 8, lines 31-36) as disclosed by Ullman.

Regarding Claims 2 and 9, Zigmond and Ullman disclose all the limitations of Claims 1 and 8 respectively. Ullman discloses presenting the content list to a viewer (Column 8, lines 22-36).

Regarding Claims 3, 13, 19 and 21, Zigmond and Ullman disclose all the limitations of Claims 1, 8, 15 and 20 respectively. Ullman discloses the content listing includes information of enhanced feature description, source, stating time (Column 6, lines 40-49).

Regarding Claims 4 and 10, Zigmond and Ullman disclose all the limitations of Claims 1 and 8 respectively. Zigmond discloses selecting enhanced featured tied to a TV program by a viewer (Column 7, lines 47-54). Ullman discloses selecting enhanced featured tied to a TV program by a viewer (Column 5, lines 11-12, Column 8, lines 22-36, 41-67).

Regarding Claims 5 and 11, Zigmond and Ullman disclose all the limitations of Claims 4 and 8 respectively. Zigmond discloses displaying one of the enhanced

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features selected by the user with the corresponding TV program that is synchronized to the selected enhanced feature (Column 7, lines 47-54). Ullman discloses displaying one of the enhanced features selected by the user with the corresponding TV program that is synchronized to the selected enhanced feature (Column 5, lines 11-12).

Regarding Claims 6, 14, 17 and 22, Zigmond and Ullman disclose all the limitations of Claims 1, 8, 15 and 20 respectively. Ullman discloses the predetermined criteria defines the number of enhanced features associated with the source of the synchronized web simulcasts or the URLs represent web sites and URLs are transmitted to the user and the number of the URLs of a source is based on the number of URLs sent to the user (Column 7, lines 12-29, 57-62).

Regarding Claim 7, Zigmond and Ullman disclose all the limitations of Claim 1. Zigmond discloses the source includes Internet (Figure 2). Ullman discloses the sources include Internet (Figure 2).

Regarding Claim 12, Zigmond and Ullman disclose all the limitations of Claim 8. Zigmond discloses displaying is performed interactively in response to the viewer's input (Column 7, lines 47-54). Ullman discloses displaying is performed interactively in response to the viewer's input (Column 5, lines 11-12).

Regarding Claims 16 and 18, Zigmond and Ullman disclose all the limitations of Claims 11 and 15 respectively. Ullman discloses the data representative of the plurality of the enhanced features is interactively created in advance (Column 7, lines 1-29, 57-62, Column 6, lines 17-20).

Regarding Claim 24, Zigmond and Ullman disclose all the limitations of Claim 23. Ullman disclose the audio-visual information and tag are received in the MPEG format (Column 9, lines 59-67, Column 10, lines 1-3).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farzana E. Hossain whose telephone number is 571-272-5943. The examiner can normally be reached on Monday to Friday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FEH
April 19, 2007



SCOTT E. BELIVEAU
PRIMARY PATENT EXAMINER